



STATE OF WASHINGTON  
PUBLIC DISCLOSURE COMMISSION

711 Capitol Way Rm 206, PO Box 40908 \* Olympia, Washington 98504-0908 \* (360) 753-1111 \* Fax (360) 753-1112  
Toll Free 1-877-601-2828 \* E-mail: [pdc@pdc.wa.gov](mailto:pdc@pdc.wa.gov) \* Website: [www.pdc.wa.gov](http://www.pdc.wa.gov)

BEFORE THE PUBLIC DISCLOSURE COMMISSION  
OF THE STATE OF WASHINGTON

IN THE MATTER OF ENFORCEMENT	)	PDC CASE NO: 06-223
ACTION AGAINST	)	
	)	Notice of Administrative
Barbara Sperline	)	Charges
	)	
Respondent.	)	

IT IS ALLEGED as follows:

**I. JURISDICTION**

Jurisdiction of this proceeding is based on Chapter 42.17 RCW, the Public Disclosure Act, Chapter 34.05, Administrative Procedure Act, and Title 390 WAC.

**II. ALLEGATIONS**

Staff alleges, based on the facts specified in Section III, that Barbara Sperline has violated RCW 42.17.240 by failing to timely file the Statement of Financial Affairs (PDC form F-1) within two weeks of becoming a candidate, or by August 12, 2005. In accordance with WAC 390-37-160 (copy enclosed) this matter is being considered by the full commission.

**III. FACTS SUPPORTING ALLEGATIONS**

The Respondent, Barbara Sperline, is a School Board Member in Kittitas School District 403. Her term of office ends in 2005. However, Ms. Sperline was re-elected in 2005. She filed a Declaration of Candidacy on July 29, 2005 and was required to file a Statement of Financial Affairs (PDC form F-1) by August 12, 2005. (**Exhibit 1**) On September 21, 2005, Ms. Sperline was sent a letter stating that the F-1 report due within two weeks of becoming a candidate had not been received. The letter stated that to avoid the possibility of enforcement, the F-1 needed



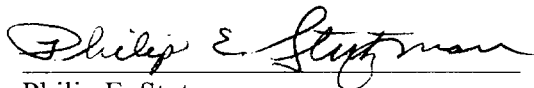
to be filed by October 3, 2005. **(Exhibit 2)** The F-1 report was filed October 6, 2005. Ms. Sperline has held office as a School Board Member in Kittitas School District 403 since 2001.

**Past History** – Ms. Sperline filed an F-1 as a candidate in 2001 and as an elected official in 2002. Since 2002, Ms. Sperline has had two violations for failing to file the F-1 report. The prior violations occurred in 2003 and 2004 as detailed below. The penalties for both violations have not been paid and a judgment was entered in Thurston County Superior Court on July 15, 2005.

**In 2003**, Case #03-439, Ms. Sperline was assessed a penalty of \$150 for failing to file an F-1 report by April 15, 2003. The F-1 was not filed and the penalty was not paid.

**In 2004**, Case #04-611, Ms. Sperline was assessed a penalty of \$300 for failing to file an F-1 report by April 15, 2004. The F-1 was not filed and the penalty was not paid.

RESPECTFULLY SUBMITTED this 17<sup>th</sup> day of November, 2005.



Philip E. Stutzman  
Director of Compliance

**Exhibits**

Exhibit 1	Jurisdiction Card and Declaration of Candidacy
Exhibit 2	September 21, 2005 Warning Letter
Enclosure	WAC 390-37-160

**Relevant Statutes**

**RCW 42.17.240 Elected and appointed officials, candidates, and appointees—Reports of financial affairs and gifts**, states in part: “(1) Every elected official and every executive state officer shall after January 1st and before April 15th of each year file with the commission a statement of financial affairs for the preceding calendar year...

**RCW 42.17.241** details the content required in each report.

**WAC 390-24-010 Forms for Statement of Financial Affairs**, states in part: “The official form for statements of financial affairs as required by RCW 42.17.240 is designated ‘F-1’, revised 9/02...”

**WAC 390-37-160 Statement of financial affairs (F-1) penalty schedule**, states in part that if on the third occasion (established violation) a filer has outstanding penalties or judgments, the matter will be taken to the full commission for consideration.

updated 3/8/05


Jurisdiction	Address	City	County	Zip Code	Jur. Email Address	Preparer	Telephone	Prep. Email Address
KITTITAS SD 403	P.O. Box 599	KITTITAS	KITTITAS	98934	hardingj@kittitas.wednet.edu	MICHELLE HELGESON	509-968-3014	helgesonm@kittitas.wednet.edu

Officials

Last Name	First Name	Initial	Office	Position	Address	City	Zip Code	Email Address	Year Term Ends
ALDER	W	S	SCHOOL DIRECTOR	02	560 FAIRVIEW RD	ELLENSBURG	989267144		2008
CLERF	PATRICIA	J	SCHOOL DIRECTOR	01	1291 CLERF ROAD	ELLENSBURG	989267620		2005
HANSEN	MARK	P	SCHOOL DIRECTOR	03	110 CAMION RD	ELLENSBURG	98926		2007
KEMPF	MICHELLE	M	SCHOOL DIRECTOR	05	PO BOX 641	KITTITAS	98934		2005
SPERLINE	BARBARA	J	SCHOOL DIRECTOR	04	PO BOX 1263	ELLENSBURG	98926		2005

3574 F  
3/10

FILING DATA ... FOR OFFICE USE ONLY

Date _____	Fee Paid _____	 <p>200507290015 Page: 1 of 1 07/29/2005 11:00A 0.00</p>
<input type="checkbox"/> Check	<input type="checkbox"/> Debit/C	
<input type="checkbox"/> Cash	<input type="checkbox"/> Filing F	
Kittitas Co Auditor BARBARA SPERLINE CAND		

## DECLARATION OF CANDIDACY

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F  
R

- I, Barbara J. Sperline am a registered voter residing at:  
(PRINT NAME AS YOU ARE REGISTERED TO VOTE)
- 709 N Okanogan Kittitas Kittitas 98934  
(STREET ADDRESS OR RURAL ROUTE WHERE REGISTERED TO VOTE) (CITY) (COUNTY) (ZIP CODE)  
PO Box 551 Kittitas Kittitas 98934  
(MAILING ADDRESS) (CITY) (COUNTY) (ZIP CODE)  
509-968-9305 babspera@charter.net  
(TELEPHONE NO.) (EMAIL ADDRESS)

and at the time of filing this declaration I am legally qualified to assume office if elected.

TC 8/10

- I declare myself as a candidate for the office of:  
Kittitas School District 403 Board Member  
(NAME OF OFFICE)

4 (CONGRESSIONAL OR LEGISLATIVE DISTRICT, COUNTY, CITY, OR OTHER JURISDICTION)  
(POSITION NUMBER IF APPLICABLE) (DIRECTOR OR COMMISSIONER DISTRICT, IF ANY)

- For the following term of office:

- ☒ A full term or a full term and a short term, or  
☐ An unexpired term

- This office is:

- ☒ Nonpartisan, or  
☐ Partisan, and (check one): ☐ my party preference is \_\_\_\_\_, or  
☐ I am an independent candidate.

The party preference will be listed on the ballot exactly as provided unless limited space necessitates abbreviation.

- Filing Fee (check one):

- ☒ There is no filing fee because the office has no fixed annual salary, or  
☐ I am submitting a filing fee of \$10 because the fixed annual salary of the office is \$1,000 or less, or  
☐ I am submitting a filing fee of \$\_\_\_\_\_, an amount equal to 1% of the annual salary, or  
☐ I am without sufficient assets or income to pay the filing fee required by law and I have attached a filing fee petition in lieu of this fee, pursuant to WAC 434-215-013 and RCW 29A.24.091.

- Please print my name on the ballot exactly as follows: Barbara Sperline  
(PLEASE PRINT)

I declare that this information is, to the best of my knowledge, true. I also swear, or affirm, that I will support the Constitution and laws of the United States and the Constitution and laws of the State of Washington.

Note: Your signature must be personally attested to either by a notary public or by the officer with whom the declaration is filed.

STATE OF WASHINGTON, COUNTY OF

- Sign Here X

Kittitas

Barbara J. Sperline  
(SIGNATURE OF CANDIDATE AS REGISTERED TO VOTE)

SIGNED OR ATTESTED BEFORE ME ON 7-29-2005  
(DATE)

by Barbara J. Sperline  
(CANDIDATE)

Sylvia Newkirk  
(SIGNATURE OF NOTARY)

Election Deputy  
(TITLE)

MY APPOINTMENT EXPIRES \_\_\_\_\_

EXHIBIT





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September 21, 2005

BARBARA SPERLINE  
PO BOX 551  
KITTITAS WA 98934

**WARNING NOTICE:** PLEASE MAIL THE F-1 FORM IMMEDIATELY

**You must complete the enclosed Personal Financial Affairs Statement (PDC form F-1) and return it to the PDC no later than Monday, October 3, 2005.**

State law requires candidates to file the F-1 within two weeks of becoming a candidate. We received your candidate declaration from the county auditor's office, but not the F-1. *Please contact us immediately if you have filed the F-1 or if you have withdrawn and are no longer a candidate.* If you have withdrawn, please contact PDC staff immediately.

The F-1 must bear your original signature when filed. Faxed reports are not accepted because they do not have an original signature. Mailed reports are considered received when postmarked.

**Q: What happens if I don't file the F-1 by October 3, 2005?**

The Public Disclosure Commission can conduct a hearing and assess a monetary fine. This is the only reminder notice that you will receive.

**Q: What if I need help completing the F-1?**

- Instruction booklets for the F-1 are available on the PDC website, located at [www.pdc.wa.gov](http://www.pdc.wa.gov), under the "2005 Elections" section of the home page.
- PDC auditors are available to answer questions at (360) 753-1111 or 1-877-601-2828 toll-free in Washington State.
- E-mail your question(s) to [pdcc@pdcc.wa.gov](mailto:pdcc@pdcc.wa.gov).

Enclosure: F-1/F-1 Supplement



**WAC 390-37-160 Statement of financial affairs (F-1) penalty schedule.**

Status	1st Occasion	2nd Occasion	3rd Occasion	4th Occasion
Failed to file report by date of enforcement hearing.	\$150	\$300	\$500	Full commission consideration
Filed report after hearing notice but before enforcement hearing.				
Did not pay settlement amount.	\$100	\$200	\$400	Full commission consideration
Filed report after hearing notice but before enforcement hearing.				
Provided written explanation or appeared at the hearing to explain mitigating circumstances. Did not pay settlement amount.	\$0 - \$100	\$100 - \$200	\$200 - \$400	Full commission consideration

**Provisos:**

(1) The presiding officer has authority to suspend all or a portion of relevant penalty under the conditions to be determined by that officer.

(2) If on the 3rd occasion, a filer has outstanding penalties or judgments, the matter will be taken to the full commission for consideration.

(3) The presiding officer may direct a matter to the full commission if the officer believes five hundred dollars would be an insufficient penalty or the matter warrants consideration by the full commission.

(4) If previously imposed penalties remain unpaid and exceed the amount this penalty schedule would otherwise prescribe for the current violation, the presiding officer may impose a penalty not to exceed the amount of the outstanding penalty, up to five hundred dollars.

(5) "Occasion" means established violation. At the 4th occasion, among other factors, the commission may consider if any prior violations and penalties were stipulated to by the respondent, in determining the amount of the penalty.

(6) Cases will automatically be scheduled before the full Commission for an enforcement action when the person:

- (a) Was found in violation during a previous reporting period,
- (b) The violation remains in effect following any appeals, and
- (c) The person has not filed the disclosure forms that were the subject of the prior violation at the time the current hearing notice is being sent.

[Statutory Authority: RCW 42.17.370. 05-04-038, § 390-37-160, filed 1/27/05, effective 2/27/05; 03-22-065, § 390-37-160, filed 11/4/03, effective 12/5/03.]